

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:

ERIC DAVID VIDAL CRUZ

XXX-XX-1050

DEBTOR (S)

CASE NO. 20-04750-EAG

CHAPTER 13

TRUSTEE'S MOTION FOR POST CONFIRMATION
MODIFICATION OF PLAN
(BASE INCREASE)

TO THE HONORABLE COURT:

NOW COMES José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

1. The confirmed/approved plan date is January 14, 2021 (docket no.15,21,29,42,50).

2. After the confirmation / approval of the aforementioned plan, the Debtor pledged to the plan the amount of \$126.47 as an additional payment. The source(s) of said payment comes from Special Government Bonus.

3. The Confirmed plan did not included said income as an additional source of funds for the plan. However, it is the Trustee's position that the above described monies are disposable income that must be used to fund the plan [11 U.S.C §1306(a) and §1322(a)(1)].

4. The Chapter 13 Trustee, pursuant to §1329(a) respectfully requests this Honorable Court to approve the modification to the above mentioned Chapter 13 Plan, in order to:

- a. Include as an additional payment section 2.4 the above described amount, increasing the plan base to \$30,804.46.
- b. All other plan's provisions as originally included remains the same.

5. The present Post-Confirmation Modification request of the plan meets

all requirements of 11 USC §1329(a) and F.R.B.P. §3015(g).

WHEREFORE the Trustee respectfully requests this Honorable Court to grant the present motion and approve a Post-Confirmation Modification of the plan base, in order to include the additional payment increasing the base to \$30,804.46.

NOTICE OF OPPORTUNITY TO OBJECT PURSUANT TO LBR9013-1(h) within twenty-one (21) days after service as evidence by the certificate of service below, and an additional three (3) days pursuant to Fed.R.Bank.P. 9006(f), if served by regular mail, any party in interest shall file and serve any objection or any other appropriate response to this plan with the Clerk's office of the US Bankruptcy Court of the District of PR. If NO objection or other response is filed within the time allowed herein, the plan will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served on the same date of this motion to: the DEBTOR(s) via regular mail, to his address of record, and her/his/their attorney, via regular mail if not a ECFS registered user, and to all Creditors and Parties in Interest, who has filed a Notice of Appearance or requested to receive notices regarding the present case.

In San Juan, Puerto Rico on Tuesday, December 17, 2024.

/s/ Jose R. Carrion

JOSE R. CARRION
CHAPTER 13 TRUSTEE
PO Box 9023884
San Juan, PR 00902-3884
Tel (787) 977-3535 FAX (787) 977-3550

RRR